

GOVERNMENT OF ANDHRA PRADESH
A B S R A C T

Social Welfare Department – Land Acquisition for House Sites – Mahabubnagar District –Manopad Village and Mandal – Land Acquired for provision of house sites to the weaker section people – Sanction of Rs. 29,34,424/- towards payment of balance decretal charges in E.P.No.18/2008 in AS No.1311/1996 in O.P.No. 367/92 – Orders Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O Rt.No. 426

Dated: 13.06.2012

Read the following

1. From the Dist Collector, Mahabubnagar Lr.No.G2/274/96,dt 17.06.2009.
2. From the Commissioner of Social Welfare, A.P., Hyderabad Lr.No.LA2/5329/2009, dt 12.8.2009.
3. From the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad Lr.No.G1/1297/2009, dated 25.11.2009.
4. Govt Memo.No.12737/SW.LA-2/2009, SW (LA) Deptt dated 03.08.2010.
- 5 From the Dist Collector, Mahabubnagar Lr.No.G2/274/96,dt 16.02.2012
6. From the CSW, A.P., Hyd Lr.No.LA2/5329/2009, dated 28.02.2012.
7. From the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad Lr.No.SRP3/506/ 2012, dated 24.5.2012.

ORDER:

In the reference 3rd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that the LAO/Tahsildar, Manopad has acquired land to an extent of Ac.10.60 Cts in Sy.No.285/B and 298 situated at Manopad Village & Mandal of Mahabubnagar District and passed award Procs. No.A/1235/1990, dated 02.12.1991, duly fixing the market value @ Rs17,000/- per acre. Not satisfied with the fixation the claimant has received the amount under protest and sought for reference U/s 18 of the L.A Act to the Civil Court. On reference made, the Lower Court numbered the reference as O.P.No.367/92 in the Court of Subordinate Judge, Gadwal, the reference Court disposed the O.P on 01.02.1996, fixing the market value at Rs.60,000/- per acre excluding all the statutory benefits. The LAO/Tahsildar, Manopad has filed an appeal U/s 54 of LA Act against the judgment dated 01.02.1996 in OP.No.367/92 and the landholders filed Cross Objections. The Hon'ble High Court has disposed off the appeal and delivered judgment on 25.10.2000 in AS No.1311/96 by fixing the market value @ Rs.27/- per Sq.Yd. The LAO/Tahsildar, Manopad has filed SLP in the Hon'ble Supreme Court of India and the same was also dismissed on 07.9.2001. The District Collector, Mahabubnagar has submitted proposals for sanction of decretal charges for an amount of Rs.25,53,915/- towards payment of decretal charges in EP.No.18/2008, 64/2001, and 48/2003 in AS. No.1311/96 in O.P.No.367/92, for the land acquired to an extent of Ac.10.60 in Sy.No. 285/B and 298 situated at Manopad Village & Mandal of Mahabubnagar District for providing house sites to the weaker section people.

2. The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad, after verification and scrutiny of the said calculation sheet, has sent proposals along with comparative calculation sheet for Rs.20,81,385/- towards payment of balance decretal charges in E.P.No.18/2008 in AS No.1311/1996 in O.P. No. 367/92 for the land acquired to an extent of Ac.10.60 Cts in Sy.No.285/B and 298 situated at Manopad Village & Mandal Mahabubnagar District for providing house sites to the weaker section people.

3. In the reference 4th read above Government have sought clarification from the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad on payment of compensation to the Decree Holder in O.P.No.367/92. In the reference 5th & 6th read above the District Collector, Mahabubnagar/ Commissioner of Social Welfare, A.P., Hyderabad, have sent revised calculation sheet and requested for sanction of

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Rs.31,23,090/- in the said O.P. After verification and scrutiny of the said revised calculation sheet submitted by the Dist Collector, Mahabubnagar, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad, vide reference 7th read above has sent comparative calculation sheet for an amount of Rs.29,34,424/- towards payment of balance decretal charges in E.P.No.18/2008 in A.S No.1311/1996 in O.P. No. 367/92 for the land acquired to an extent of Ac.10.60 Cts in Sy.No.285/B and 298 situated at Manopad Village & Mandal Mahabubnagar District for providing house sites to the weaker section people.

4. Government, after careful examination of the above proposal, hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad for release an amount of Rs.29,34,424/- (Rupees Twenty Nine lakhs Thirty Four thousand Four hundred and Twenty Four only) to the District Collector, Mahabubnagar, towards payment of decretal charges, as per Hon'ble High Court orders dated 25.10.2010 in A.S No.1311/1996 in O.P.No.397/1992 in respect of the land acquired to an extent of Ac.10.60 Cts in Sy.No. 285/B and 298 situated at Manopad Village & Mandal of Mahabubnagar District for providing house sites to the weaker section people.

5. The expenditure sanctioned in para (4) above shall be met within the BE.2012-13 and debited to the following Head of Account.

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

6. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, Mahabubnagar to comply with the Hon'ble High Court orders dated 25.10.2010 in A.S.No.1311/1996 in OP.No.367/92.

7. The District Collector, Mahabubnagar shall verify the calculation sheet submitted by the Land Acquisition Officer once again, in terms of Opinion of the Commissioner of Legal Affairs, O/o the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad communicated in their Lr No.G1/1297/2009, dated 07.01.2011 before issue of Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Esp.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary & Chief Commissioner of Land Administration, A.P.,
Hyderabad

The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, Mahabubnagar

Copy to:

The Director of Treasury & Accounts, A.P., Hyderabad,

The Accountant General, A.P., Hyderabad,

The District Treasury Officer, Mahabubnagar District.

Finance (Exp.SW/BG) Department

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER